

Belgium held parliamentary elections in May 2014, but disagreement among the country's parties, which are divided along both political and linguistic lines, delayed the formation of a government for more than four months. The separatist New Flemish Alliance (N-VA), the center-right Christian Democratic and Flemish (CD&V) party, the francophone Movement for Reform (MR), and the Open Flemish Liberals and Democrats (VLD) reached a coalition agreement in October. The N-VA, which won the most seats of any party in the elections, was included in the government for the first time.

In May, a gunman fatally shot four people at the Jewish Museum in Brussels. It later emerged that the suspected killer, a French Muslim, had recently returned from Syria, where he had been active with the Islamic State (IS) militant group.

Political Rights and Civil Liberties:

### **Political Rights: 40 / 40 [Key]**

#### **A. Electoral Process: 12 / 12**

The Belgian monarchy is largely ceremonial, although the king retains constitutional authority to mediate between parties during the process of government formation. Belgium's Parliament consists of two houses: the Chamber of Representatives and the Senate. The 150 members of the Chamber are elected directly by proportional representation. The Senate is comprised of 50 members selected by community and regional parliaments, and an additional 10 members chosen by the first 50 based on the results of the Chamber of Representatives elections. Members serve four-year terms in both houses. The prime minister, who is the leader of the majority party or coalition, is appointed by the monarch and approved by Parliament.

The N-VA won 33 seats in the Chamber of Representatives in the May 2014 parliamentary elections, while outgoing prime minister Elio Di Rupo's Francophone Socialist Party (PS) won 23 seats. The MR captured 20 seats, the CD&V took 18 seats, the VLD took 14 seats, and the Flemish Socialist Party Differently (sp.a) took 13 seats. The remaining seats were captured by seven minor parties.

N-VA leader Bart de Wever conceded in June that he was unable to form a government, leading King Philippe to task Kris Peeters of the CD&V and Charles Michel of the MR with leading the negotiations. In October, they reached a four-party, right-wing coalition agreement with the N-VA and the VLD. Michel, head of the only francophone party in the coalition, became prime minister. His government was sworn in that month—the first government in more than two decades to exclude the PS.

#### **B. Political Pluralism and Participation: 16 / 16**

The party system is robust but highly fragmented, with separate Flemish and Walloon parties representing all traditional parties of the left and right.

After the xenophobic Vlaams Blok (Flemish Block) party was banned in 2004 for violating the country's antiracism laws, it changed its name to Vlaams Belang (Flemish Interest) and removed some of the more

overtly racist elements from its platform. However, the party maintains an opposition to immigration and a commitment to an independent Flanders. It captured only three seats in the 2014 elections, down from 12 in 2010.

Ethnic and linguistic conflicts have prompted a series of constitutional amendments since 1970 devolving considerable power from the central government to the three regions in the Belgian federation: French-speaking Wallonia in the south; Flemish-speaking Flanders in the north; and Brussels, the capital, where French and Flemish share the same official status. The wealthier Flemish north has sought increased self-rule and reduced taxpayer support for the less prosperous Wallonia. Voting takes place along strict linguistic lines; with the exception of the bilingual district encompassing Brussels, parties are only permitted to run in their respective linguistic regions.

## **C. Functioning of Government: 12 / 12**

Corruption is relatively rare in Belgium, which was ranked 15 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

## **Civil Liberties: 57 / 60**

### **D. Freedom of Expression and Belief: 15 / 16**

Freedoms of speech and the press are guaranteed by the constitution and generally respected by the government. Belgians have access to numerous private media outlets. However, concentration of print media ownership has increased in recent decades, leaving most of the country's newspapers in the hands of a few corporations. Internet access is unrestricted. In November 2014, several media workers were assaulted by police while covering a demonstration in Brussels.

Approximately half of the country's population identifies itself as Roman Catholic. Freedom of religion is protected, but a number of minority religious groups have complained of discrimination by the government, which has been criticized for its characterization of some non-Catholic groups as "sects."

In 2010, the Chamber of Representatives approved a ban on the partial or total covering of the face in public locations; although it did not specifically mention the veils worn by some Muslim women, these were widely seen as the target. The ban took effect in July 2011. Offenders face a fine or a week in jail.

The government does not restrict academic freedom. Private discussion is open and vibrant.

### **E. Associational and Organizational Rights: 12 / 12**

Freedom of assembly is respected, although a mass demonstration in 2014 led to clashes with police. In November, unions organized a march in Brussels against the new government's economic austerity plans, drawing more than 100,000 attendees. The demonstration became violent, leading to a police response; authorities reported dozens of injuries and detentions.

Freedom of association is guaranteed by law, except for groups that practice discrimination "overtly and

repeatedly.” Employers found guilty of firing workers because of union activities are required to reinstate the workers or pay an indemnity. In December, unions called a 24-hour nationwide general strike.

## **F. Rule of Law: 15 / 16**

The judiciary is independent, and the rule of law generally prevails in civil and criminal matters. Although conditions in prisons and detention centers meet most international standards, many facilities continue to suffer from overcrowding.

Specific antiracism laws penalize the incitement of discrimination, acts of hatred, and violence based on race, ethnicity, or nationality. There have been complaints about the treatment of rejected asylum seekers and illegal immigrants awaiting deportation. Maggie De Block, who held positions tasked with matters of asylum and immigration in the Di Rupo government, had taken a hard line against asylum seekers, leading to a significant drop in their numbers in 2013. In 2014, hundreds of Afghan asylum seekers continued to live in a makeshift camp they had established in a Brussels church in September 2013, protesting the government’s plan to return them to Afghanistan, where they argued their lives would be endangered.

On May 24, 2014, a gunman opened fire at the Jewish Museum in Brussels, killing a couple visiting from Israel and a Frenchwoman volunteering at the museum. A fourth victim, a museum employee, died of his wounds in June. On May 29, authorities in Marseille, France, arrested a suspect, French citizen Mehdi Nemmouche, after he arrived on a bus from Brussels carrying weapons matching those used in the attack. He had allegedly traveled to Syria in 2013 and spent over a year fighting as part of IS, and was believed to be the first jihadist to return to Europe and commit a terrorist act after participating in the Syrian conflict. In July 2014, France extradited Nemmouche to Belgium, where he was charged with “murder in a terrorist context.”

In September, an Antwerp court began the trial of 46 alleged members of a radical Islamist group called Sharia4Belgium for recruiting militants to fight in Syria. The group had agitated for Sharia (Islamic law) in Belgium until announcing in 2012 that it was disbanding.

Also in September, the European Court of Human Rights (ECHR) ordered Belgium to pay €60,000 (\$80,000) in damages and €30,000 (\$40,000) in legal costs to Nizar Trabelsi, a Tunisian man who was extradited by Belgium to the United States in 2013 to face terrorism charges. The ECHR ruled that Belgium had violated his rights by extraditing him to a country where he faced the prospect of life in prison without the possibility of release, which the court said violated the prohibition of “inhuman or degrading treatment or punishment” by the European Convention on Human Rights.

The human rights of LGBT (lesbian, gay, bisexual, and transgender) people in Belgium are afforded strong legal protections and supported by a vibrant community of civil society groups. Discrimination on the basis of sexual orientation is illegal. In December 2014, ruling in the case of a gay man who had been found brutally murdered in Liège in 2012, a Belgian court found three defendants guilty of murder with homophobic motives and one defendant guilty of manslaughter with homophobic motives—the first such convictions in Belgium.

## **G. Personal Autonomy and Individual Rights: 15 / 16**

The law provides for the free movement of citizens at home and abroad, and the government does not

interfere with these rights. However, individual communities may expel Roma from city limits at the discretion of the local government. Citizens have the right to own property and start private businesses, and commercial activity is regulated without arbitrary government interference.

The government actively promotes equality for women. The state Institute for the Equality of Men and Women is empowered to initiate sex-discrimination lawsuits. In the 2014 elections, women won approximately 39 percent of the seats in the Chamber of Deputies and 50 percent of the seats in the Senate. Belgium legalized same-sex marriage in 2003, and in 2006 it gave same-sex couples the right to adopt children. In 2011, Di Rupo became the country's first openly gay prime minister.

In February 2014, the Chamber of Representatives voted to give final approval to a bill that would make the country the first in the world to legalize euthanasia for terminally ill children. Belgium legalized euthanasia for terminally ill adults in 2002.

### **Scoring Key: X / Y (Z)**

**X = Score Received**

**Y = Best Possible Score**

**Z = Change from Previous Year**

**[Full Methodology](#)**